

***In the Claims:***

Please amend the claims as follows.

The following lists all claims and their status:

1-239 (cancelled)

240. (original) A method of assessing a viability of human heart tissue, comprising:  
    providing one or more images of heart tissue from a human heart to a computer system;  
and  
    assessing viability of the heart tissue by using the computer system to assess a contrast  
between two or more sections in at least one image.

241. (currently amended) The method of claim 240, further comprising:  
    providing two or more images of human heart tissue to the computer system; and  
    using at least two of the images of heart tissue to create at least a second image of  
human heart tissue, wherein at least a portion of the second image appears at least three-  
dimensional image of the heart tissue.

242. (currently amended) The method of claim 240, further comprising:  
    providing two or more images of human heart tissue to the computer system; and  
    using at least two of the images of human heart tissue to create at least a second  
image of human heart tissue, wherein at least a portion of the second image appears at  
least four-dimensional image of the heart tissue.

243. (original) The method of claim 242, wherein one of the dimensions comprises time.

244. (original) The method of claim 242, wherein one of the dimensions comprises at  
least one physiological factor.

245. (original) The method of claim 244, wherein at least one physiological factor comprises hormone B-type natriuretic peptide.

246. (currently amended) The method of claim 240, further comprising creating one or more images of at least some of the contrasted sections of the image used to assess viability of the heart.

247. (currently amended) The method of claim 246, wherein at least a portion of at least one image of the contrasted sections appears ~~comprises~~ at least a three-dimensional image.

248. (original) The method of claim 246, wherein at least one image comprises progressive coloring.

249. (original) The method of claim 248, wherein the progressive coloring comprises grayscale.

250. (currently amended) A method of assessing a viability of human heart tissue, comprising:

providing ~~at least one~~ or more images of heart tissue from a human heart to a computer system;

dividing at least one of the images into a plurality of sections;

assigning a value to at least one of the sections, wherein the value is a function of a feature of the section; and

using the value of at least one of the sections to assess viability of human heart tissue in or proximate to at least one of the sections with an assigned value.

251. (original) The method of claim 250, wherein assessing viability of human heart tissue comprises determining viability of human heart tissue.

252. (original) The method of claim 250, wherein the feature of the section is a color of the section.

253. (original) The method of claim 252, wherein the color of the section comprises grayscale.

254. (currently amended) The method of claim 250, wherein the computer system divides at least one of the images into a plurality of images.

255. (original) The method of claim 250, wherein the computer system assigns the value to at least one of the sections.

256. (currently amended) The method of claim 250, further comprising extrapolating at least one feature from at least one of the images.

257. (currently amended) The method of claim 250, wherein the computer system uses the value assigned to at least one of the sections to assess viability of human heart tissue in or proximate to at least one of the sections with an assigned value.

258. (currently amended) The method of claim 250, further comprising ~~at least creating at least a second image of human heart tissue, wherein at least a portion of the second image appears at least a three-dimensional image of the human heart tissue.~~

259. (currently amended) The method of claim 250, further comprising creating at least a second image of human heart tissue, wherein at least a portion of the second image appears at least a three-dimensional image of the human heart tissue, with different viabilities indicated on the image.

260. (currently amended) The method of claim 259~~250~~, further comprising displaying the three-dimensional image.

261. (currently amended) The method of claim 250, further comprising creating a report comprising ~~at least a three-dimensional~~ an image of human heart tissue appearing at least thee-dimensional, wherein the image is divided into sections based on the assessed viability of the sections.

262. (cancelled)

263. (original) A system configured to assess a viability of human heart tissue, comprising:

a CPU; and

a system memory coupled to the CPU, wherein the system memory stores one or more computer programs executable by the CPU;

wherein one or more computer programs are executable to:

provide at least one image of heart tissue from a human heart to a computer system; and

assess viability of human heart tissue by using the computer system to assess a contrast between at least two sections in at least one image.

264-494 (cancelled)